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UNCLAS ROME 000981

SIPDIS

FROM FODAG

STATE FOR IO/EDA ROSE BERSTEIN AND L/UNA
USAID FOR MIKE MIKLAUCIC

E.O. 12958: N/A

TAGS: AORC EAID KDEM IDLI

SUBJECT: IDLI ASSEMBLY OF MEMBER STATES: CHANGES TO
CONSTITUTION

¶1. SUMMARY. THE INTERNATIONAL DEVELOPMENT LAW INSTITUTE
(IDLI) ASSEMBLY OF MEMBER STATES WILL MEET MARCH 20,
¶2. 2002. THE MEMBER STATES WILL BE ASKED TO APPROVE TWO
CHANGES TO IDLI'S BASIC STATUTES. MISSION RECOMMENDS
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SUPPORT FOR THESE CHANGES. END SUMMARY.

¶12. THE IDLI ASSEMBLY OF MEMBER STATES WILL MEET MARCH
20, 2002 IN ROME. MEMBERS WILL BE ASKED TO APPROVE TWO
CHANGES TO IDLI'S "ESTABLISHMENT AGREEMENT" (FULL TEXT
AND MEETING AGENDA FAXED TO IO/EDA ROSE BERSTEIN
2/25/02):

1) CHANGE NAME TO INTERNATIONAL DEVELOPMENT LAW
ORGANIZATION (VICE INSTITUTE) IN ORDER TO CORRECT COMMON
MISPERCEPTION THAT IDLI IS CONNECTED TO AN ACADEMIC
INSTITUTE.

2) PROVIDE A SPECIFIC MANDATE FOR RULE OF LAW AND GOOD
GOVERNANCE: WHEN IDLI WAS FOUNDED 18 YEARS AGO, ASSISTING
DEVELOPING COUNTRIES TO NEGOTIATE INTERNATIONAL
COMMERCIAL AGREEMENTS WAS ITS PRIMARY FUNCTION. WHILE
THIS REMAINS AN IMPORTANT PART OF IDLI'S WORK, THE LEGAL
AND JUDICIAL REFORM AGENDA HAS PROVIDED NEW OPPORTUNITIES
TO WORK ON RULE OF LAW AND GOOD GOVERNANCE IN PURSUIT OF
SUSTAINABLE DEVELOPMENT. IDLI'S CURRENT WORK PROGRAM IS
VERY MUCH ENGAGED IN RULE OF LAW ISSUES. THE PRESENT
ESTABLISHMENT AGREEMENT IS BROAD ENOUGH TO ENCOMPASS WORK
ON SUCH MATTERS, BUT THE IDLI BOARD OF DIRECTORS FELT
THAT IDLI SHOULD HAVE A MORE SPECIFIC MANDATE IN ORDER TO
PROVIDE LEADERSHIP IN ITS FIELD. THE PROPOSED CHANGES TO
ARTICLE II (PURPOSES AND ACTIVITIES) MAKE THIS MANDATE
CLEAR.

¶13. THE CHANGE WILL COME INTO EFFECT UPON RECEIPT BY THE
DEPOSITORY OF NOTIFICATIONS BY A THREE-FOURTHS MAJORITY
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OF STATE PARTIES TO THE ORIGINAL AGREEMENT THAT THE
FORMALITIES REQUIRED BY THE NATIONAL LEGISLATION OF SUCH
PARTIES WITH RESPECT TO THIS AMENDMENT HAVE BEEN
ACCOMPLISHED.

¶14. UNLESS ADVISED OTHERWISE, MISOFF WILL REPRESENT USG
AT THE ASSEMBLY OF MEMBER STATES AND WILL SUPPORT
PROPOSED CHANGES TO IDLI ESTABLISHMENT AGREEMENT.
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